



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, June 28, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **June 28, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

a. PD05-077. Planned Development Permit for a project located on the located on the southwest corner of Monterey Road and Goble Lane (2745 Monterey Road) on a 29.5 gross acre site in the A(PD) Planned Development Zoning District (Goble Ernest L. Et Al, Owner). Council District 7. SNI: None. CEQA: Goble Lane EIR Resolution No.72877, File No. PDC02-066. **Deferred from 6/21/06.**

1. Rescind the previously approved Planned Development Permit for the site plan and provisions for 660 residential units (590 attached residential units and 70 detached residences), and 18,000 square feet of retail commercial uses in accordance with the approved Planned Development that does not allow detached units.
2. Approval of a site plan design and provisions for 660 attached residential units and 18,000 square feet of retail commercial uses.

b. PD03-075. Planned Development Permit to allow a 6,928 square foot classroom building, new driveway loop and other site improvements for a private school (CHALLENGER SCHOOL) on a 7.23 gross acre site in the A(PD) Planned Development Zoning District, located on the north side of East Gish Road approximately 300 feet westerly of Oakland Road (711 E GISH RD) (Emerald Isle, Llc, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Defer to 7/12/06.**

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

a. PDA01-068-01. Planned Development Permit Amendment to change a condition of a previously approved permit (file PD01-068) related to the limitation of the issuance of residential building permits with respect to the

completion of a new Fire Station on a 0.48 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of St. Florian Way and Altino Boulevard (2933 St. Florian Way) (KB Home South Bay Inc, Owner; KB Homes Steve Bull, Developer). Council District 7. SNI: None. CEQA: Re-Use of EIR. **Deferred from 6/21/06.**

- b. **HA96-019-01. Site Development Permit Amendment** to allow a 9,000 gallon liquid nitrogen tank inside an existing screened enclosure at an existing research and development facility on a 4.861 gross acre site in the IP Industrial Park Zoning District, located on the east side of Rio Robles, approximately 1,050 feet southerly of Tasman Drive (125 RIO ROBLES) (Irish Leasing Corporation, Owner; Cisco Systems Inc, Developer). Council District 4. SNI: None. CEQA: Exempt.
- c. **HA82-054-01. Site Development Permit Amendment** to allow a liquid nitrogen tank inside an existing screened enclosure at an existing research and development facility on a 4.79 gross acre site in the IP Industrial Park Zoning District, located on the southeast corner of Fortune Drive and Ringwood Avenue (1710 FORTUNE DR) (Concourse Fortune Associates Llc, Owner). Council District 4. SNI: None. CEQA: Exempt.
- d. The projects being considered are located on the southwest corner of Capitol Avenue and Mabury Road (781 N CAPITOL AV), in the A(PD) Planned Development Zoning District (MESSINA RICHARD V TRUSTEE & ET AL, Owner, PINN BROS, Applicant). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration.
 - 1. **PD05-075. Planned Development Permit** to construct 89 multi-family attached residential units on a 10.9 gross acres site.
 - 2. **PT05-099. Planned Development Tentative Map** to subdivide 2 parcels into 5 lots for 2 existing single-family detached residences and 199 new single-family attached residential units on a 10.9 gross acre site.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SP06-037. Special Use Permit** request to allow modifications at an existing corporation yard, green waste transfer facility, truck maintenance facility including the addition of equipment for the collection and transfer of used motor oil on an approximately 7-gross acre site in the HI Heavy Industrial Zoning District, located on the southeasterly side of Berryessa Road at the eastern terminus of Commercial Street (1158 Berryessa Road) (Norcal Waste Systems, Applicant). Council District 4. SNI: None. CEQA: Addendum to Mitigated Negative Declaration. **Deferred from 5/31/06.**
- b. **T06-029. Tentative Condominium Map** to reconfigure one parcel into one lot for two residential condominium units on a 0.13 gross acre site in the R-M Multiple Residence Zoning District, located at/on the east side of Park Avenue, approximately 100 feet northerly of Emory Street (1808 PARK AV) (Frye Mary Trustee, Owner). Council District 6. SNI: None. CEQA: Exempt. **Deferred from 6/21/06.**

- c. **T05-014. Tentative Condominium Map Permit** to reconfigure three parcels into one lot for 948 single-family attached residences on a 32.1 gross acre site in the R-M Multiple Residence Zoning District located at the northwest corner of Norwalk Drive and Kiely Boulevard (4337 Norwalk Dr.) (Ptr-California Holdings Inc, Owner). Council District 1. SNI: None. CEQA: Exempt. **Deferred from 6/21/06.**
- d. **TR06-059. Tree Removal Permit** to remove two Palm trees on a 0.16 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the north side of Emory Street approximately 350 feet easterly of Bascom Avenue (1901 EMORY ST) (Hendershott Robert J And Fama Rosemary Trus, Owner). Council District 6. CEQA: Exempt. **Deferred from 6/21/06.**
- e. **PD05-078. Planned Development Permit** to construct 86 affordable multi-family attached residential units on a 2.19 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the east side of Highway 101, at the western terminus of San Antonio Court (305 SAN ANTONIO CT) (Degery Didier Trustee, Owner; Affirmed Housing Group Danny Serrano, Developer). Council District 5. SNI: Gateway East. CEQA: Mitigated Negative Declaration, PDC05-104. **Deferred from 6/21/06.**
- f. **TR06-057. Tree Removal Permit** for a Tulip tree removed without benefit of the required permit on 0.13 gross acres in the R-1-8 Single-Family Residence Zoning District, located at 2326 West Hedding Street (2326 W HEDDING ST) (Snyder Elliott R, Owner). Council District 6. CEQA: Exempt.
- g. **T06-043. Tentative Condominium Map** to reconfigure one parcel for 10 condominium units on a 0.34 gross acre site in the R-M Multiple Residence Zoning District located on the southeast corner of Northern Road and Cross Way (Shwe Richard S And Alma M Trustee, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration, H00-025.
- h. **T06-026. Tentative Condominium Map** to reconfigure one parcel into one lot for two residential condominium units on a 0.18 gross acre site in the R-2 Two-Family Residence Zoning District, located on the west side of South 19th Street approximately 250 feet north of East San Antonio Street (155 S 19TH ST) (Chen Hongtao And Emily, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.
- i. **PDA04-009-01. Planned Development Permit Amendment** to allow the continued operation of an existing emergency ambulance service use (Bayshore Ambulance Satellite office) and an existing social service agency (Asian American Recovery Services) and the operation of a new social service agency (EMQ Children and Family Services) on a 12.9 gross acre site in the A(PD) Planned Development Zoning District, located on the southwest corner of Tully Road and Highway 101 (SFERS Real Estate Corp., Owner). Council District 7. SNI: None. CEQA: Exempt.

- j. **H06-024. Site Development Permit** to demolish an existing single-family residence and construct a new 11,764 square foot, 2-story office building on a 0.66 gross acre site in the CO Office Commercial Zoning District located on the east side of South White Road approximately 400 feet southerly of Croft Drive (3160 S. White Road) (Rigoberto Bracamontes, Owner). Council District 8. SNI: None. CEQA: Addendum to Mitigated Negative Declaration.
- k. **H03-041. Site Development Permit** to construct 25,361 square foot building for medical office uses on a 1.75 gross acre site in the CN Commercial Neighborhood Zoning District, located on the southwest corner of McKee Road and Jose Figures Avenue (2122 MCKEE RD) (Atkar Mike And Kulwinder K Et Al, Owner). Council District 5. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for June 28, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
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(408) 535-7800 CITY OF SAN JOSE